



Entered on Docket
January 22, 2007

Hon. Linda B. Riegle
United States Bankruptcy Judge

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*Attorneys for the Official Committee of Equity
Security Holders of USA Capital Diversified Trust
Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

In re:
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,
Debtor.

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

In re:
USA SECURITIES, LLC,
Debtor.

Case No. BK-S-06-10725 LBR
Case No. BK-S-06-10726 LBR
Case No. BK-S-06-10727 LBR
Case No. BK-S-06-10728 LBR
Case No. BK-S-06-10729 LBR

Chapter 11

Jointly Administered Under
Case No. BK-S-06-10725-LBR

**ORDER SUSTAINING OMNIBUS
OBJECTION OF THE OFFICIAL
COMMITTEE OF EQUITY
SECURITY HOLDERS OF USA
CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC, TO WRONG
DEBTOR CLAIMS MISFILED
AGAINST USA CAPITAL
DIVERSIFIED TRUST DEED FUND,
LLC**

Affects:

- ☐ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☒ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA First Trust Deed Fund, LLC

Date: January 3, 2007

Time: 9:30 a.m.

Courtroom: 1

The Court having considered the Omnibus Objection of the Official Committee of Equity Security Holders of USA Capital Diversified Trust Deed Fund, LLC (the "Diversified Committee") to Wrong Debtor Claims Misfiled Against USA Capital Diversified Trust Deed Fund, LLC, including claim nos. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 37, 38, 53, 116, and 125 (the "Objection"); having reviewed the pleadings, papers and records on file in this action and the arguments of counsel; no opposition to the Objection, other than Karen Petersen Tyndall's Limited Reply To Omnibus Objection of the Official Committee of Equity Security Holders of USA Capital Diversified Trust Deed Fund, LLC To Wrong Debtor Claims Misfiled Against USA Capital Diversified Trust Deed Fund, LLC, having been timely filed; with Debtor USA Capital Diversified Trust Deed Fund, LLC, having joined the Objection with respect to claim nos. 125 and 126; and for good cause appearing:

IT IS HEREBY ORDERED that the DTDF Committee's Objection is sustained.

IT IS FURTHER ORDERED that the claims listed on Exhibit A, attached hereto and made a part hereof, shall be disallowed, and the claimants shall not be entitled to any distribution from USA Capital Diversified Trust Deed Fund, LLC with respect to such claims.

IT IS FURTHER ORDERED that this order is not applicable to claim nos. 84, 85, 118, and 119, filed against USA Capital Diversified Trust Deed Fund, LLC by Karen Petersen Tyndall, and that the hearing on the Diversified Committee's objection to such claims shall be

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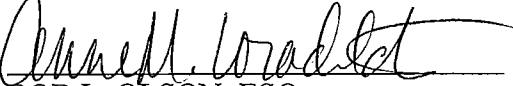
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continued until January 31, 2007, at 9:30 a.m., due to such claims being inadvertently omitted from the Diversified Committee's Objection and instead included on the Diversified Committee's Omnibus Objection to Claims on Equity Misfiled as Creditor Claims.

RESPECTFULLY SUBMITTED BY:

BECKLEY SINGLETON, CHTD.



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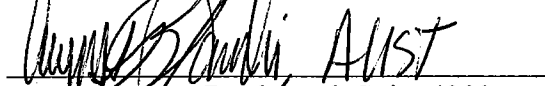
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APPROVED/DISAPPROVED:

OFFICE OF THE UNITED STATES TRUSTEE

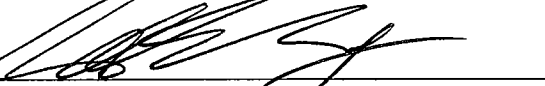


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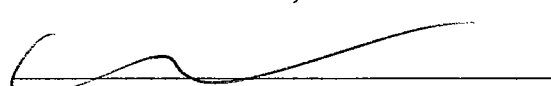
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EXHIBIT A

Claim No.	Claimant	Claim Amount
6-1	Frieda Moon, Trustee of the Decedent's Trust	\$37,860.24
7-1	Frieda Moon, Trustee of the Decedent's Trust	\$51,033.34
8-1	Frieda Moon and Sharon C. Van Ert	\$51,033.34
9-1	Frieda Moon FBO Sharon C. Van Ert	\$35,583.34
10-1	Frieda Moon FBO Sharon C. Van Ert	\$17,538.18
11-1	Frieda Moon and Sharon Van Ert	\$51,076.38
12-1	Frieda Moon, Trustee of the Decedent's Trust	\$51,076.38
13-1	Frieda Moon, Trustee of the Decedent's Trust	\$25,538.20
14-1	Brenda Falvai	\$50,933.34
15-1	Brenda Falvai	\$50,972.22
16-1	Brenda Falvai	\$50,933.34
17-1	Brenda Falvai	\$50,933.34
18-1	Brenda Falvai	\$50,933.34
19-1	Brenda Falvai	\$37,860.24
37-1	Edward J. Quinn and Darlene A. Quinn	\$156,388.48
38-1	Edward J. Quinn and Darlene A. Quinn	\$156,388.48
53-1	Sandra O. Masters	\$425,000.00
116-1	Nancy Brauer	\$25,000.00
125-1	Law Offices of James J. Lee	\$200,000.00
126-1	James J. Lee, Esq.	\$200,000.00
132-1	William Chad Berry	\$200,000.00

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